

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. MJ 08-075
)	
Plaintiff,)	
)	DETENTION ORDER
v.)	
)	
SYLVESTER J. ALDERMAN)	
)	
Defendant.)	
_____)	

Offense charged: Felon in Possession of a Firearm

Date of Detention Hearing: March 14, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant's past criminal history includes multiple robbery charges and at least one prior firearms offense. By way of proffer to establish the underlying facts of the instant offense,

01 the AUSA presented a videotape from a security camera on an apartment building showing the
02 defendant first being assaulted by an individual and then drawing a firearm and pursuing the
03 individual, firing multiple shots after the individual attempted to flee. The shots were allegedly
04 fired in the vicinity of nearby vehicle traffic and residents of the apartment building. A 7 year old
05 child suffered a minor injury. Defendant's past criminal history also shows a number of failures
06 to appear and failures to comply with court orders.

07 2. Defendant does not have a stable employment history although he proffers the
08 availability of employment with a tree removal business.

09 3. Defendant poses a risk of danger due to violent criminal history and the nature and
10 circumstances of the current charges. He poses a risk of nonappearance due to a history of failing
11 to appear and to comply with court orders, lack of stable employment and a history of alcohol and
12 marijuana use.

13 4. There does not appear to be any condition or combination of conditions that will
14 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
15 to other persons or the community.

16 It is therefore ORDERED:

17 (1) Defendant shall be detained pending trial and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;

21 (2) Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

01 (3) On order of a court of the United States or on request of an attorney for the
02 Government, the person in charge of the corrections facility in which defendant is
03 confined shall deliver the defendant to a United States Marshal for the purpose of
04 an appearance in connection with a court proceeding; and

05 (4) The clerk shall direct copies of this Order to counsel for the United States, to
06 counsel for the defendant, to the United States Marshal, and to the United States
07 Pretrial Services Officer.

08 DATED this 14th day of March, 2008.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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